

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

MICHAEL VAUGHN PORTER

PLAINTIFF

V.

CIVIL ACTION NO. 3:20-CV-102-DPJ-FKB

CITY OF BRANDON, MISSISSISSIPPI,
AND RANKIN COUNTY, MISSISSISSIPPI

DEFENDANTS

ORDER

This § 1983 action is before the Court on the Report and Recommendation [45] of Magistrate Judge F. Keith Ball. The City of Brandon, Mississippi, filed motions to dismiss [31] and for summary judgment [33]; Rankin County, Mississippi, filed motions for judgment on the pleadings [36] and summary judgment [38]. Pro Se Plaintiff Michael Vaughn Porter did not respond to any of the motions, and Judge Ball set the case for an omnibus hearing on October 27, 2021. Order [40].

When Porter did not appear at the hearing, Judge Ball entered an Order to Show Cause [41] and again set the matter for an omnibus hearing on January 19, 2022. Order [44] (also directing Plaintiff to respond to the pending motions by January 18, 2022, which he failed to do). At the January 19, 2022 hearing, Judge Ball gave Porter an opportunity to clarify his claims. After considering the motions and Porter's testimony, Judge Ball recommending granting Defendants' motions and dismissing the case.

The Court has considered the Report and Recommendation agrees with Judge Ball's reasoning, analysis, and conclusions. The Report and Recommendation provided an opportunity for Porter to file an Objection; Porter did not, and the time to do so has passed.

Accordingly, the Court finds the unopposed Report and Recommendation [45] should be adopted as the Court's opinion. Defendants' motions [31, 33, 36, 38] are granted; this action is

dismissed with prejudice. A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED this the 7th day of February, 2022.

s/ Daniel P. Jordan III
CHIEF UNITED STATES DISTRICT JUDGE